

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CHRISTOPHER SMITH,

Plaintiff,

VS.

MOSS LAW FIRM, P.C.,

Defendant.

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Civil Action No. 3:18-CV-2449-D

ORDER

The parties' June 11, 2020 agreed motion to continue trial is conditionally granted as follows, and the court resets the trial of this case to Monday, October 5, 2020.

N.D. Tex. Civ. R. 40.1 provides that "[a] motion for continuance of a trial setting must be signed by the moving party as well as by the party's attorney of record." The court grants the continuance motion on the condition that, within 14 days of the date this order is filed, at least one moving party files a written consent to trial continuance that contains the signature of the moving party and the party's attorney of record.

Rule 40.1 also provides, that "[u]nless the presiding judge orders otherwise, the granting of a motion for continuance will not extend or revive any deadline that has already expired in a case." Therefore, any relief from an expired deadline must be obtained by motion or agreed order (subject to court approval). Unexpired deadlines based on the prior trial setting, however, are hereby reset so that the parties shall now comply with them on the basis of the new setting.

In granting the parties' motion, the court recognizes that they have requested a new trial setting of September 23, 2020. Under the court's schedule, however, the soonest date on which the

court can reset this trial is October 5, 2020. This order is being entered accordingly.

SO ORDERED.

June 15, 2020.


SIDNEY A. FITZWATER
SENIOR JUDGE